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RUEHPE/AMEMBASSY LIMA 1542
RUEHMN/AMEMBASSY MONTEVIDEO 3795
RUEHQT/AMEMBASSY QUITO 4203
RUEHSG/AMEMBASSY SANTIAGO 8747
RHMFISS/HQ USSOUTHCOM MIAMI FL
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C O N F I D E N T I A L LA PAZ 001357

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TAGS: [ECON](#) [PGOV](#) [PREL](#) [BL](#)

SUBJECT: JUDICIAL BRANCH STANDS TALL AGAINST EXECUTIVE
PRESSURE

REF: A. LA PAZ 870

[1](#)B. LA PAZ 901

Classified By: Charge D'Affairs David M. Robinson for reasons 1.4 (b) and (d).

[1](#)1. (C) Summary: In meetings with poloff on May 17 in Sucre, Supreme Court and Constitutional Tribunal (CT) justices, still stinging from President Morales' March public criticisms of the CT, expressed strong resolve to resist political pressure and influence from the Morales government.

While Morales has refrained from making further attacks on the courts, the justices are concerned about the future independence of the judiciary, particularly in light of the upcoming Constituent Assembly. They say they are willing to push back against Morales' apparent plans to compromise the courts. We will continue to look for ways to support them. End summary.

[1](#)2. (C) In meetings with poloff on May 17 in Sucre, Supreme Court and Constitutional Tribunal (CT) justices, still stinging from President Morales' March public criticisms of the CT following a legal decision adverse to the central government (reftels), expressed strong resolve to resist political pressure and influence from the Morales government.

Supreme Court President Hector Sandoval complained that Morales' judicial salary cuts are a political tactic to clear the court and the way for Morales to control the judicial branch. Sandoval said the Supreme Court, currently with a quorum of eight (out of 12) justices, might lose one more due to the salary issue, but that the rest would remain. CT President Elizabeth Iniguez and her two female colleagues on that tribunal-- also constituting a quorum (two of the five slots are vacant)-- echoed their firm resolve to weather any future battles with the executive branch and retain their independence.

[1](#)3. (C) While Morales has refrained from making further attacks on the courts, the justices are concerned about their future. Iniguez and Sandoval expressed pessimism regarding the impact of the upcoming Constituent Assembly on the independence of the judicial branch. Sandoval worries that Bolivia will adopt the Cuban model, in which judges become

all-powerful political figures in their jurisdictions. Conversely, Iniguez fears that the courts' power will be drastically diluted by the Constituent Assembly. Either way, they have a dark outlook on the future.

¶4. (C) The high courts' apparent willingness to oppose executive infringement is noteworthy. At the same time, Sandoval admitted the judiciary is vulnerable due, in part, to lack of funding. Given the challenges the judiciary faces and their stated interest in steering a straight democratic path, we will continue to look for ways to support them. End summary.

ROBINSON